

## REMARKS

In the Office Action, claims 1-5, 8, 9, 13, 14, 17, 18 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over McConnell (U.S. Pat. No. 6,302,121) in view of Won (U.S. Pat. No. 5,201,330). Claims 6 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over McConnell in view of Won as applied to claims 5 and 2 above, and further in view of Waterman (U.S. Pat. No. 2,692,698). Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over McConnell in view of Won as applied to claim 1 above, and further in view of Cheng (U.S. Pat. No. 5,199,452). Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over McConnell in view of Won as applied to claim 2 above, and further in view of Kossak et al. (U.S. Pat. No. 5,678,578). Claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over McConnell in view of Won as applied to claim 2 above, and further in view of Blasi et al. (U.S. Design Pat. No. 485,945). Claim 12 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Independent claim 1 has been amended to clarify the bearing arrangement between the dispenser reel and housing. Amended independent claim 1 requires:

- a pair of parallel planar walls spaced apart by less than 6mm,
- a reel with a lip projecting outwardly from a side wall to define a bearing surface,
- a circular aperture that extends through one of the wall portions and defines a complementary bearing surface in the wall portion,
  - the lip of the reel projecting into the aperture, and
  - the bearing surface of the lip abutting with the complementary bearing surface of the wall portion.

#### **U.S. Pat. No. 6,302,121 (McConnell) – Dental Floss Dispenser**

This patent discloses a dental floss dispenser (10). The dental floss dispenser (10) comprises a housing (12), a floss carrier (14) disposed in the housing (12) and a spool (74) of dental floss.

The carrier (14) includes a spindle (86) that receives the dental floss spool (74). The spindle (86) rotationally supports the spool (74) within the housing (12).

#### **U.S. Pat. No. 5,201,330 (Won) – Dental Floss Holder**

This patent discloses a dental floss holder with a generally cylindrical body portion (18) of a stem (70). The stem (70) extends from the body

portion (18) and terminates in a “wishbone” disposition configured for flossing. The body portion (18) has a central axial bore (46) that receives a spool (54) of dental floss (12). The dental floss (12) is extracted from the spool and feeds across the stem (70) before being retained by the “wishbone” for flossing.

### **Deficiencies of the Prior Art**

Neither McConnell nor Won disclose:

- a housing with a pair of planar walls spaced apart by less than 6mm,
- a reel with an outwardly projecting lip extending from a side wall,
- a circular aperture extending through one of the housing walls, or
  - the lip of the reel projecting into the aperture and bearing against a surface of the wall defined by the aperture to rotationally support the reel.

## **Inventive Step**

Both McConnell and Won disclose dental floss dispensers where the filamentary material is retained within a housing on a rotating spool. The spool disclosed in both patents is completely enclosed within the respective housings and supported by a spindle.

Amended independent claim 1 requires that a portion of the reel (the lip) projects through a housing wall (so that it is effectively visible to a user). The reel is supported by a bearing arrangement between the lip and housing wall (not a separate spindle).

The combined disclosure of McConnell and Won does not provide the very specific reel and housing arrangement recited in amended independent claim 1.

The combination of features recited in amended independent claim 1 contributes to a compact (credit card slim) dispenser with improved structural rigidity.

None of the cited references identify a credit card size dispenser with a rotating reel. The claimed thickness of the dispenser housing (less than 6mm) makes it particularly susceptible to bending and warping (as identified in paragraph [0008] of published specification US 2006/02834794).

Significant warping of the housing structure can restrict rotation of the reel and prevent the filamentary material being withdrawn.

The bearing arrangement between the reel and housing, recited in independent claim 1, stiffens the structure and reduces the potential for interference between the housing and reel to disrupt floss withdrawal (page 4, paragraph [0121] of US 2006/02834794). Neither document cited by the Examiner considers augmenting the housing structure with a reel, primarily because the housings disclosed in the cited documents do not fit within the size constraints recited in independent claim 1 and are therefore not susceptible to the same deformation.

The externally visible portion of the reel (projecting into the aperture also provides an aesthetic identifier that distinguishes the dispenser and can carry advertising) (page 6, paragraph [0131] of US 2006/02834794).

The claimed dispenser is both new and non-obvious over the cited references. The cited combination does not disclose the structural limitations recited in independent claim 1 and neither patent provides suitable reason to modify the disclosure relating to the spool mounting and support.

## **Amendments**

Support for the amendments to independent claim 1 is provided below with reference to the published US application (US 2006/02834794).

- said reel including a lip projecting outwardly from a sidewall to define a bearing surface, and
- said circular aperture defining complementary bearing surface in said at least one wall portion.

### Paragraph [130]

*“The sidewalls 49 of the dental floss reel 2 includes raised lips 9, of substantially the same size and shape of the circular cut-out aperture 8 in housing 1”*

- said bearing surface of said lip abuts with the complementary bearing surface of said at least one wall portion.

### Paragraph [130]

*“The raised lips 9 interact with cut-out 8 to provide bearing surfaces for rotatably mounting and centering the reel within the housing.”*

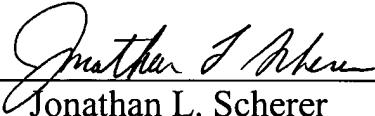
In addition, the allowable subject matter of claim 12 has been placed in independent claim form by new claim 34.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, she is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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